

ATTACHMENT A

PERFORMANCE OF EXPERT PROFESSIONAL PLANNING SERVICES FOR THE PREPARATION OF A COMPREHENSIVE PORT IMPROVEMENT PLAN FOR THE PORT OF NEW YORK & NEW JERSEY

I. INTRODUCTION

The Comprehensive Port Improvement Plan (CPIP) and associated Comprehensive Port Improvement Plan Environmental Impact Statement (CPIP-EIS) are separate documents that will be nearly parallel in development. The EIS process, conducted pursuant to the National Environmental Policy Act (NEPA), will serve as a planning tool in the development of the CPIP. The preparation of the CPIP and the CPIP-EIS will be iterative in nature and the development of the project documents will be closely coordinated. The Scope of Work and Tasks contained herein pertain to the development of the CPIP by the Consultant. Preparation of the CPIP-EIS shall be by others.

Background

The CPIP and the CPIP-EIS evolved from the U.S. Army Corps of Engineers Harbor Navigation Study (HNS), completed in December 1999. One of the conclusions of the HNS was that unmet cargo demand projected for the Port of New York and New Jersey may necessitate improvements of volume capacity above what is currently planned.

In light of the projected growth in maritime commerce, the Port Authority, the States of New York and New Jersey, and the City of New York have evaluated opportunities for expanding the Port's capacity and enhancing the Port region's cargo transportation system. Port project sponsors wish to accommodate projected future local and regional demand, which in turn would produce significant regional benefits.

At the same time, while past Port development has been justified because of economic and transportation needs, the ecological functions and flora and fauna populations of the harbor estuary system have been under ever increasing stress from human activities in and around the harbor. Recently efforts to address these issues have been advanced through several public policy initiatives, most notably the Harbor Estuary Program, New York/New Jersey Harbor Comprehensive Conservation and Management Plan, and Hudson-Raritan Reconnaissance Study.

The Memorandum of Understanding

In January 2000, in an effort to set forth a cooperative approach for implementing environmental improvement and economic development decisions for the Port of New York and New Jersey, Port project sponsors, regulatory agencies and resource agencies signed a Memorandum of Understanding (MOU: see Exhibit 1 included herewith and made a part hereof). This document specifies the parties responsible for the preparation and administration of the CPIP and the CPIP-EIS.

Consortium

A Consortium was formed to advance and support future Port economic development and environmental restoration proposals. Consortium members include the State of New York (represented by the Empire State Development Corporation), the State of New Jersey (represented by New Jersey Maritime Resources and the New Jersey Department of Transportation), the Port Authority of New York and New Jersey, and the City of New York (represented by the New York City Economic Development Corporation). By mutual agreement, the Consortium will direct, manage, and provide funds for preparation of the CPIP, and provide funds and data to support the preparation of the CPIP-EIS.

Co-Lead Agencies

Preparation of the CPIP-EIS is the responsibility of the co-lead agencies, consisting of the U.S. Environmental Protection Agency, U.S. Army Corps of Engineers, New Jersey Maritime Resources, and the Empire State Development Corporation.

Committees

The MOU designates three committees to guide the CPIP and CPIP-EIS. These are the Steering Committee, the Management Committee and the Stakeholder Committee.

II. PROJECT DESCRIPTION

The objective of the CPIP is to create a comprehensive plan reflective of the need for an economically viable and environmentally protective improvement of the Port of New York and New Jersey. The Consultant shall define water and landside infrastructure improvement initiatives to accommodate the region's capacity demand through the year 2060. In addition to port expansion, job growth and economic development, the Consultant shall consider environmental goals and objectives. For example, the Consultant shall seek to avoid or minimize the fill of wetlands and shallow water habitat, to promote the protection and restoration of estuarine habitat, to further revitalization of brownfields, to minimize community impacts, to facilitate waterfront access and to advance a sustainable transportation system, which minimizes growth in truck traffic and fosters use of freight rail and barge. The CPIP-EIS will thoroughly evaluate the environmental impacts of a range of reasonable alternatives. (CPIP Draft Goals and Objectives: See Exhibit 2, included herewith and made a part hereof.)

The CPIP Consultant shall develop a unified, regionally supported, environmentally protective and economically viable sequence of Port improvement initiatives, accompanied by a detailed financing plan and certain public involvement activities. Concurrent with the preparation of the CPIP, the CPIP-EIS Consultant shall prepare a CPIP-EIS, which will assess a set of alternatives and work to facilitate regulatory review.

Related Studies

Other studies have been prepared in the last few years that are concerned with Port development and harbor estuary improvements. These studies, which are listed in the bibliography (See Exhibit 3 included herewith and made a part hereof), are an initial starting point and will provide input to the development of the CPIP.

III. DESCRIPTION OF THE CONSULTANT'S TASKS

The Consultant shall provide the following services in the sequence indicated below. Upon completion of each sub-task defined the Consultant shall submit a draft technical memorandum documenting his finding in the performance of services contained therein. The Consultant shall incorporate work product comments as directed by the CPIP Coordinator, and resubmit the technical memorandum as final within 7 (seven) calendar days after receipt of CPIP Coordinator comments.

If so directed by the CPIP Coordinator the following tasks may modified and subsequently performed on an "as-needed" basis subject to the terms of the Agreement as they relate to the performance of such services.

TASK A PROJECT SCHEDULE

Prepare and submit for approval by the CPIP Coordinator, within 14 (fourteen) calendar days after receipt by you of a signed copy of this Agreement, a preliminary schedule for performance of the following Tasks (B through K). Said schedule shall incorporate the milestones indicated in Section V below and should be presented in Microsoft Project. A key component of the schedule is identifying important milestone dates and linkages with the CPIP-EIS. Incorporate the CPIP Coordinator comments as directed and resubmit the schedule as final.

The Consultant shall revise the final schedule during the performance of services hereunder as mutually agreed upon by the Consultant and the CPIP Coordinator.

TASK A

Deliverable: A Project Schedule identifying completion dates for each project task outlined below, and important milestone dates and linkages with the CPIP-EIS. Incorporate work product comments as directed by the CPIP Coordinator.

TASK B CONDUCT PUBLIC INVOLVEMENT ACTIVITIES

All activities of Task B must be coordinated closely with the CPIP-EIS Consultant through regular coordination meetings as approved in advance by the CPIP Coordinator.

TASK B.1. The Consultant shall maintain a database of Stakeholders which will include, but will not be limited to, community-based organizations serving port communities, port-related businesses, elected officials, environmental advocacy groups, labor, and academic and scientific organizations and individuals with an interest in the port.

TASK B.2. Develop and conduct public involvement activities that maximize stakeholder input and inform the general public about the CPIP process. Enlist aid of community-based organizations and business groups in efforts to include local community involvement. Provide information on the progress of the CPIP for optimal dissemination through multi-media outlets, including, but

not limited to newsletters, Internet web site and press releases. Prepare a semi-annual report documenting and updating program objectives and status, as required for public dissemination.

TASK B.3. Prepare a Draft Executive Summary document to be used for public distribution in its final form. This shall be a bound, 4-color document summarizing the major findings of the Final CPIP and Final CPIP-EIS. This task should be coordinated with the CPIP-EIS Consultant. After review of the draft document, the Consultant shall incorporate comments as directed by the CPIP Coordinator and resubmit the Executive Summary as final.

TASK B

Deliverable

- (1) A detailed list of proposed activities to maximize stakeholder input.
- (2) A Technical Memorandum summarizing stakeholder and general public outreach efforts and outcomes.
- (3) A Draft and Final Executive Summary of the Final CPIP and CPIP-EIS.

TASK C IDENTIFY PROGRAMS

For Tasks D through J described below, identify federal, state, and local governmental and industry programs along with all applicable public law, which may be used to fund elements of the proposed CPIP.

TASK D COORDINATE WITH THE CPIP-EIS CONSULTANT

Coordination between the CPIP Consultant and the CPIP-EIS Consultant shall occur regularly in order to integrate the CPIP and CPIP-EIS preparation procedures and requirements. Information will be shared between both consultants as appropriate.

All costs associated with CPIP and CPIP-EIS coordination identified in Tasks E through K are to be included in the Consultant's estimated cost and staffing analysis for Task D.

TASK E FORECAST MARKET DEMAND AND AGGREGATE PORT CAPACITY NEEDS FOR CONTAINERS, VEHICLES, BREAKBULK, AND BULK CARGO

The following sub-tasks, Task E.1 and Task E.2, are to be performed for both containerized and non-containerized cargo types:

TASK E.1. Market Forecast and Outlook

TASK E.1.1. Identify and update, if necessary, the model assumptions used to forecast market demand in:

- The New York and New Jersey Harbor Navigation Study, U.S. Army Corps of Engineers,
 - Strategic Port Investment Analysis, The Port Authority of New York and New Jersey,
 - Strategic Plan for Redevelopment of the Port of New York, New York City Economic Development Corporation.
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- TASK E.1.2.** Utilizing assumptions identified above, develop a range of projections by direction of trade for major cargo types at the Port for the years 2000 to 2060. Consider the effect of maintaining existing depths and the effect of the 41/45-foot and 50-foot channel deepening projects. Begin at the year 2000 and proceed in 5-year increments to the year 2020, then 10-year increments to the year 2060. Identify logistics trends, such as e-commerce, that could possibly affect forecast scenarios.
- TASK E.1.3.** Develop a forecast of the vessel fleet, by classification as noted below, that will call on the Port between the years 2000 and 2060. Consider existing depths and the 41/45-foot and 50-foot channel deepening projects and indicate the number of annual calls by each vessel type, correlating trade lane and volume forecasts. Begin at the year 2000 and proceed in 5-year increments to the year 2020, then 10-year increments to the year 2060. Include a determination of the likely calling pattern of large vessels along the Atlantic Coastal Range, identifying the number of vessel calls per year by size of vessel. Classify vessels by channel depth required.
- TASK E.1.4.** Utilizing current transportation and economic planning documents, establish current and future baseline conditions for port-related imports and exports by cargo type for major world regions. Estimate origins and destinations for regional and non-regional cargo (identifying major inland regions). Develop a modal forecast (truck, rail, barge) for both regional and non-regional cargo. Begin at the year 2000 and proceed in 5-year increments to the year 2020, then 10-year increments to the year 2060.
- TASK E.1.5.** For oceanborne cargo with regional origins and destinations, determine major distribution centers located within the region and the percentage of cargo currently processed through those distribution centers. Determine future changes in capacity and distribution patterns for oceanborne cargo processed through the regional distribution network. Begin at the year 2000 and proceed in 5-year increments to the year 2020, then 10-year increments to the year 2060.

TASK E.2. Current Capacity and Aggregate Capacity Needs at Port Facilities

Assess the Port's current capacity for handling forecasted cargo volumes and determine aggregate capacity needs for both container and non-container cargo. Identify comparative advantages or disadvantages for handling various commodity types at each existing facility.

- TASK E.2.1.** Assess the cargo throughput capacity of existing maritime facilities by cargo type, assuming existing supporting infrastructure (i.e., current terminal equipment, rail and roads, labor force, and productivity averages). Present results in terms of cargo units of volume/acre/year. For each facility, identify any productivity or operational improvements and investigate technologies, which could increase throughput capacity of existing facilities over the forecast period without expanding terminal acreage.
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TASK E.2.2. For the forecasted cargo volumes, by type, and considering existing depths and the 41/45-foot and 50-foot channel deepening projects, identify any capacity shortfall of existing facilities to handle projected cargo volumes in terms of units of cargo volume and required terminal acreage. Identify time frames when additional terminal capacity, and supporting infrastructure, would be required.

TASK E.2.3. Assess the competitive advantage or disadvantage of each existing terminal facility for handling each type of cargo based on handling costs, market destinations, and distribution/infrastructure requirements. Identify market opportunities for handling new or additional cargoes and establishing new maritime related business operations, such as warehousing or foreign trade zone activities, and other value-added related activities.

TASK E.3. Current and Planned Capacity of the Regional Transportation Network

TASK E.3.1. Conduct fact-finding meetings with MPO's, State NYDOT, NJDOT and local transportation agencies to identify existing highway, rail and barge segments, which serve traffic both generated from and destined for Port facilities.

TASK E.3.2. Evaluate current traffic conditions and rail utilization for these segments and forecast volumes (from Transportation Improvement Plans and Regional Transportation Plans) for benchmark years (as identified in Task E.1.2) in the CPIP. Identify where capacity deficiencies or excesses occur on both the highway and rail networks.

TASK E.3.3. Identify, from MPO's, NYDOT, NJDOT and local transportation agencies, the current and planned projects, that improve transportation operations on the highway network for people, goods, or service trips either generated by or destined for Port facilities.

TASK E.3.4. Identify the current and projected rail network projects that improve transportation operations on the rail network for people, goods, and service trips generated by or destined for Port facilities.

TASK E

- Deliverable**
- (1) A Draft and Final Technical Memorandum identifying assumptions for the development of market forecasts. Incorporate work product comments as directed by the CPIP Coordinator and resubmit the draft as final.
 - (2) A Draft and Final Technical Memorandum describing the assessment of market demand, terminal capacity, transportation network capacity and market opportunity issues. Incorporate work product comments as directed by the CPIP Coordinator and resubmit the draft as final.
 - (3) Presentation of the results and findings of Task E to the Steering Committee and others as required by the CPIP Coordinator.
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TASK F IDENTIFY AND EVALUATE SITE-SPECIFIC PORT IMPROVEMENT OPTIONS**TASK F.1. Conduct Review of Available Studies**

Based on the analysis of capacity needs performed in Task E.2 above, conduct a review of available studies and regional terminal improvement plans (see Exhibit 2). At a minimum, it is anticipated that this review will encompass an evaluation of two (2) or three (3) Port Improvement Options for each of seven (7) sites (e.g. 2 or 3 options for Brooklyn, including Red Hook and South Brooklyn, 2 or 3 options for Howland Hook, 2 or 3 for Port Newark/Elizabeth, 2 or 3 for Port Jersey, MOTBY/Bayonne, 2 or 3 for GATX and 2 or 3 for Port Reading).

TASK F.2 Evaluate Suitability to Handle Cargo

Evaluate the suitability of each terminal Option to handle each principle type of cargo (e.g., containers, autos, bulk and breakbulk cargo).

TASK F.3. Establish Preliminary Financial Analysis / Economic Impact for each Port Improvement Option

TASK F.3.1 For each Port Improvement Option provide a preliminary financial analysis (a more detailed financial projection will occur at a later stage of the planning process) of the following from the standpoint of the public sector:

- Development capital requirements including real estate, infrastructure, superstructure and equipment;
- Facility pro-forma operating expense including operating and financing charges;
- Operating revenues generated; and
- Return on public sector investment.

TASK F.3.2 For each Port Improvement Option provide preliminary local and regional economic impact projections including direct and indirect job creation and ancillary regional economic benefits.

TASK F.4. Survey Industry Contacts

Survey industry contacts to ensure that each of the Port Improvement Options reflects the future needs of shipping lines, waterfront labor, railroads, trucking industry and terminal operators. Determine the immediate land-access improvements needed to support marine terminal operations at each site.

TASK F.5. Identify Effects of Port Improvement Options on the Regional Transportation Network

TASK F.5.1. For each Port Improvement Option, identify where capacity deficiencies or excesses occur on the current and projected transportation network segments (highway, rail, or barge), which serve traffic both generated from and destined for Port facilities.

TASK F.5.2. Identify for each Port Improvement Option, any potential access or other improvements (road, rail, or barge) to the local transportation network with associated cost estimates and assess the logistical management effects of the Option (e.g. effective costs and speed of delivery per unit of cargo).

TASK F.5.3. Determine the current modal split on the supporting infrastructure, which serves traffic both generated from and destined for Port facilities. For each Port Improvement Option, analyze opportunities to diversify the modal split with the following objectives:

- Reduce adverse environmental effects.
- Reduce total truck trips and Vehicle Miles Traveled (VMT's) from port related activities.
- Achieve greater throughput with minimum stress on existing infrastructure.

Include projects that provide opportunities to change freight modal distribution within the region (e.g., incorporate exiting studies on opportunities to increase modal diversity).

TASK F.5.4. Using and refining NYMTC and NJTPA transportation models, coordinate with the CPIP-EIS consultant to identify the effects of proposed Port Improvement Options on the future proposed network capacity enhancements identified by the regional MPO's, NYDOT, NJDOT, and other development agencies.

TASK F.5.5. Associated As-Needed Task

Using available resources (e.g., Cross Harbor Freight Movement MIS) develop a computer simulation of the regional freight distribution network to be used as a planning tool for the CPIP and CPIP-EIS. The simulation would include all modes associated with the inland movement of maritime freight, including barge, rail, and truck.

TASK F.6. Identify Interdependencies and Linkages

Identify any interdependencies between landside and waterside uses for each of the Port Improvement Options. Identify linkages between the Port Improvement Options and environmental quality, existing regional planning projects, and upland transportation improvement efforts.

TASK F.7. Identify and Apply Green Port Planning Modifications

Research existing studies and examples of Green Port developments. For each of the Port Improvement Options determine opportunities, cost/benefits and implementation issues associated with but not limited to the following issues:

- Public waterfront access on or near the development sites,
- Avoidance or minimization of the fill of wetlands and shallow water habitat,
- Minimization of community impacts
- Reuse of previously developed sites (brownfields) and
- Use of new technologies for alternative fuels, energy efficiency and renewable energy in Port facilities and operations.

In coordination with the CPIP-EIS Consultant, apply appropriate Green Port Planning modifications to the Port Improvement Options.

TASK F.8. Assist CPIP-EIS Consultant's Development of Environmental Criteria

The CPIP-EIS consultant shall have primary responsibility for determining the methodologies and impact thresholds to be applied for assessing the effects of the CPIP on the natural environment. However, the CPIP Consultant shall provide information and data as required to the CPIP-EIS Consultant that will allow the CPIP-EIS Consultant to perform as thorough and detailed an evaluation of the environmental effects of the proposed port improvements as possible. Examples of information to be provided by the CPIP Consultant include, but are not limited to, assumptions related to port-related traffic modal split, description of stormwater control practices at marine terminals, and guidance on trends in the application of clean-fuel technologies for on-terminal equipment.

Impact thresholds will be derived from the final CPIP goals and objectives, and can be quantitative or qualitative in nature. Examples of impact thresholds include reduction or minimization of future increases in port-related truck vehicle-miles traveled (VMT) and improvement of modal split (increased use of rail and barge).

TASK F.9. Establish and Apply a Port Improvement Options Evaluation System

In light of the analyses performed in Tasks F.2 – F.7 above and utilizing environmental criteria established with the CPIP-EIS Consultant in Task F.8, establish an evaluation system for the Port Improvement Options. Compare and evaluate the relative advantages and disadvantages of the Port Improvement Options utilizing the evaluation system established above.

TASK F

Deliverable (1) A Draft and Final Technical Memorandum (CPIP Options Report) identifying, modifying and evaluating the site-specific Port Improvement

Options. Present the results of the evaluation in a descriptive write-up as well as in matrix form. Incorporate work product comments as directed by the CPIP Coordinator and submit the draft memorandum as final.

- (2) Associated As-Needed Submission: A computer simulation of the regional freight distribution network, accompanied by a Technical Memorandum describing results and findings.
- (3) Presentation of the results and findings of Task F to the Steering Committee and others as required by the CPIP Coordinator.

TASK G DEVELOP PORT IMPROVEMENT PROPOSALS

TASK G.1. Identify Port Improvement Proposals

Utilizing the results of Tasks E and F above and in coordination with the CPIP-EIS Consultant, draw upon the sets of Port Improvement Options to form Port Improvement Proposals, which meet the local, regional and national market demand for container, automotive and bulk cargo in a logistically sound, economically viable and environmentally protective fashion for the volumes/modes/vessel sizes expected, according to the cargo forecasts of Task E. For each of the Proposals, include a developmental phasing plan.

TASK G.2. Financial Analysis of the Port Investment Proposals

Utilizing the financial projections from F.2.1 above, provide a financial analysis of the Port Improvement Proposals in the form of a model, permitting an internally consistent comparison of the Proposals. The model will integrate the Options and phasing plan in each Proposal to project:

- development capital requirements,
- on-going operating, maintenance, and financing expense,
- operating revenue generated and
- resulting return on investment.

TASK G

Deliverable

- (1) A Draft and Final Technical Memorandum describing the Port Improvement Proposals. Incorporate work product comments as directed by the CPIP Coordinator and resubmit the Draft document as Final.
- (2) Presentation of the results and findings of Task G to the Steering Committee and others as directed by the CPIP Coordinator.

TASK H EVALUATE PORT IMPROVEMENT PROPOSALS

Tasks H.1 through H.5 shall be conducted concurrently and in coordination with the CPIP-EIS Consultant's preparation of the Draft CPIP-EIS.

- ### **TASK H.1.**
- In support of the CPIP-EIS Consultant, provide information needed for the preparation of the Draft EIS.
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- TASK H.2.** Using criteria established in Task F and environmental analyses conducted by the CPIP-EIS Consultant for the Draft CPIP-EIS, conduct an in-depth evaluation of each of the Port Improvement Proposals, incorporating potential additional Port Improvement Proposals, resulting from the CPIP-EIS Consultant's preparation of the Draft CPIP-EIS.
- TASK H.3.** Review and compare the costs, benefits and risks of each of the Port Improvement Proposals.
- TASK H.4.** Evaluate and rank the suitability of each Proposal to meet local, regional and national market demand for container, automotive and bulk cargo in a logistically sound, economically viable and environmentally protective fashion for the volumes/modes/vessel sizes expected, according to the cargo forecasts of Task E.
- TASK H.5.** Develop a Draft CPIP Report, which documents the results and findings of Tasks H.2 through H.4 and recommends a preferred set of CPIP Proposals.

TASK H

- Deliverable** (1) A Technical Memorandum documenting the in-depth evaluation and the resulting rank of each of the Port Improvement Proposals, to be submitted as the Draft Comprehensive Port Improvement Plan ("Draft CPIP"). Present the results of the evaluation in a descriptive write-up as well as in matrix form. Incorporate work product comments as directed by the CPIP Coordinator.
- (2) Presentation of the results and findings of Task H to the Steering Committee and others as directed by the CPIP Coordinator.

TASK I PERFORM A FINANCIAL ANALYSIS OF THE DRAFT CPIP**TASK I.1. Financial Model**

Utilizing the financial model established in Task G.2 above, utilize the model to compare alternative development scenarios along a spectrum ranging from public sector financing and development to privatized development of the Draft CPIP.

TASK I.1.1. Development Structure

Outline the range of public-private investment and control structures for carrying out the development of the Draft CPIP. This written analysis will compare public-private financing and control structures which have been utilized elsewhere in the U.S. and globally, identify their relevance to the development of the Port of New York, and summarize the pros and cons of the various structures from the standpoint of public sector return on investment, availability of private capital, and efficiency of facility development and operation.

TASK I.1.2. Capital Financing

Provide an analysis of the sources of capital available and most likely financing mechanisms used by the public and private sector as well as available federal support in the context of the development structures outlined in Task I.1.1. Describe the pros and cons of the financing alternative (i.e., cost of capital, availability of private equity, legal constraints, etc.).

TASK I.1.3. Comparison of Financing Alternatives and Structures

Having reviewed the public-private investment and control structures and the financing alternatives, apply the most advantageous structures to the financial data developed in subtasks G.1 and I.1.2 above, to analyze projected revenue and the resulting return on investment to both public and private sector, as appropriate, for the Draft CPIP. This comparison of financing alternatives and structures will incorporate details of:

- the assumed financing structure (i.e., source of capital and type of financing);
- ownership/lease structure;
- development phasing; and
- assumptions leading to revenue projections (i.e., ship calls, commodity flows, port pricing).

TASK I.1.4. Scenario Analysis

Provide description of key variables incorporated into the financial model, including economic growth rate, inflation rate, growth rate in North Atlantic trade, relative share of TEU volume captured by the Port of New York, etc. Provide the outcome of the worst and best case scenario for these variables on the projects provided in Task I.1.3 above.

TASK I.1.5. Provide a pro-forma financial statement including statements of revenues and expenses as well cash flow sources and uses.

TASK I.1.6. Provide a detailed description of data and assumptions (i.e., the sources of information and data used and the basis for all assumptions).

TASK I.2. Financial Recommendation

Provide a written analysis and recommendation of the ownership and financing structure, which optimizes the return on port improvements. Factors to be incorporated into this analysis/recommendation will include relative cost of the development alternative, efficiency and profitability of the structure, the minimization of public subsidy, and the projected return on investment.

TASK I

- Deliverable** (1) A Draft and Final Technical Memorandum presenting the financial assessment and financing opportunities for the Draft CPIP. Incorporate work product comments as directed by the CPIP Coordinator and resubmit the Draft document as Final.
- (2) Presentation of the results and findings of Task I to the Steering Committee and others as directed by the CPIP Coordinator.

TASK J PREPARE FINAL CPIP

TASK J.1. Following the dissemination of the Draft CPIP-EIS and public comment period, assist CPIP-EIS consultant with Response to Comments section of the Final CPIP-EIS.

TASK J.2. Based on input received on the Draft CPIP-EIS during the public comment period, prepare a Final CPIP in coordination with the preparation of a Draft Record of Decision.

TASK J

- Deliverable** (1) A Technical Memorandum identifying the preferred Port Improvement Proposal. Incorporate work product comments as directed by the CPIP Coordinator.
- (2) Presentation of the results and findings of Task J to the Steering Committee and others as directed by the CPIP Coordinator.

TASK K MEETINGS AND STATUS REPORTS

Participate in project meetings and compile and distribute meeting minutes as directed by the CPIP Coordinator. Provide monthly project status reports

TASK K

- Deliverable** (1) Submit monthly project status report and draft meeting minutes to CPIP Coordinator. Incorporate comments as directed by the CPIP Coordinator and resubmit drafts as final.

TASK L ADDITIONAL SERVICES (“AS-NEEDED”)

The schedule for performance of services required on an “as needed” basis shall be as mutually agreed upon between the CPIP Coordinator and the Consultant prior to the performance of said services.

TASK L.1. When directed by the CPIP Coordinator, the Consultant shall perform additional services to include, but not be limited to, planning and/or study tasks beyond those contained in Tasks B through K, which may arise during the development of the project study..

TASK L.2. As-needed services may include providing office space for individual(s), other than the Consultant’s staff, as required by the CPIP Coordinator. Said space shall include all required computer and office equipment (e.g. computer with Internet and e-mail capability), telephone, fax machine, etc., and all required

administrative support. Support staff shall be as approved by the CPIP Coordinator. Said staff shall be retained and compensated under the provisions of the contract relating to subconsultants. Compensation for office space and equipment if other than the space occupied by the Consultant shall be reimbursable subject to the Agreement provisions relating to “out-of-pocket” expenses.

TASK L

Deliverable Submit a “report on as-needed services provided” to CPIP Coordinator.

IV. INFORMATION AND MATERIALS PROVIDED BY THE CONSORTIUM

The Consortium will make available for the Consultant’s information certain documents specified in Exhibit 3. The documents specified therein were not prepared for the purpose of providing information for the Consultant upon the present work, but they were prepared for other purposes, and do not form a part of this Agreement. The Consortium makes no representation or guarantee as to, and shall not be responsible for their accuracy, completeness or pertinence, and, in addition, shall not be responsible for the conclusions drawn therefrom. They are made available merely for the purpose of providing the Consultant with such information as is in the possession of the Consortium, whether or not such information may be accurate, complete or pertinent, or of any value to the Consultant.

V. SCHEDULE AND SUBMISSIONS

For the purpose of developing the schedule required under Task A above, all services required under Tasks A through K shall be completed within **1095** (one thousand ninety-five) calendar days after receipt by the Consultant of a fully executed copy of Agreement. For all deliverables identified above the Consultant shall submit twenty (20) copies of each except as otherwise directed by the CPIP Coordinator.

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